

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

MARIA ALEJANDRA CELIMEN SAVINO,  
JULIO CESAR MEDEIROS NEVES, and all  
those similarly situated,

Petitioners-Plaintiffs,

v.

STEVEN J. SOUZA,

Respondent-Defendant.

Case No. 1:20-cv-10617 WGY

**DECLARATION OF OREN SELLSTROM IN SUPPORT OF OPPOSITION TO  
DEFENDANTS' MOTION FOR RECONSIDERATION**

I, Oren Sellstrom, declare:

1. I am one of the attorneys for Plaintiffs in this action. The Plaintiffs' legal team also consists of attorneys and law student interns from the Jerome Frank Legal Services Office at Yale Law School and attorneys from the law firm of WilmerHale.
2. It has been the practice of Plaintiffs' legal team, since the Court first began releasing class members on bail, to reach out to class members as soon as possible following any order of release on bail. Our purpose in doing so has been to inform the class members of their release, to explain and discuss the Court's conditions of bail, and to make sure that released class members understand that ICE may have additional conditions of bail that it imposes.

3. Because of the importance of ensuring that released class members comply with all conditions of release, Plaintiffs' counsel have asked Defendants' counsel on multiple occasions to provide us with the release paperwork given to any class member released pursuant to the Court's bail orders. However, Defendants' counsel has consistently refused to do so. We first made this request in a phone call with Attorney Kanwit on April 9, 2020. We followed up with an e-mail reiterating the request on April 10, 2020.
4. When we did not receive a response to our April 10, 2020 email, we followed up again by email on April 13, 2020, stating that "It is in everyone's interest to make sure that we are all on the same page about release procedures, and that ICE is following consistent procedures and giving class members complete and accurate information." We went on to recap the prior conversation that we had: "In that conversation, we discussed the importance of making sure that ICE includes the Court's conditions in the release paperwork that ICE provides to released class members. We have seen at least some paperwork that indicates this has happened for some class members, but it is not clear to us that this has been ICE's consistent practice. Please confirm at your earliest convenience." Attorney Kanwit did not respond to this email.
5. We subsequently raised the issue at the April 24, 2020 hearing before the Court. Although the Court initially stated that it expected Defendant to produce release paperwork, Defendant's counsel took the position that class members should provide the paperwork to Plaintiffs' counsel themselves, and the Court ultimately did not order Defendant to produce it.
6. Accordingly, Plaintiffs' counsel have attempted to obtain the release paperwork from class members themselves. This has sometimes been difficult, as class members do not

often have access to scanners, copiers, and computers; these difficulties have been compounded during the pandemic and because released class members cannot leave their homes. For class members who have been able to do so, the most feasible method has often been for them to take page-by-page photographs of their release paperwork with their cell phone and then email those pages to Plaintiffs' counsel as a series of attachments.

7. Based upon our review of class member release documents we have received, the release papers that ICE has provided to class members have been haphazard and inconsistent. Some release papers contain the Court's conditions; others do not; still others contain only some of the Court's conditions but omit other conditions. Exhibit A to this declaration is a true and correct copy of an example of release paperwork only partially stating the Court's conditions; it lists the Court's 14-day quarantine as a bail condition but omits the subsequent house arrest condition. Other detainees' release papers are internally inconsistent, for example telling the individual they are on house arrest but also stating a condition that "[y]ou do not travel outside New York for more than 48 hours without first having notified this agency office of the dates and places, and obtaining approval from this agency office of such proposed travel." Exhibit B is a true and correct copy of an example of this; Exhibits C is a true and correct copy of another example of this.
8. It is Plaintiffs' counsel's understanding that verbal instructions given to class members by ICE and ICE agents also varies widely. ICE contracts out its Alternatives to Detention programs to BI, Incorporated, also known as the Intensive Supervision Appearance Program, or ISAP. ISAP staff are often the primary point-of-contact for released

individuals, who do not typically distinguish between what entities are giving them instructions, and do not necessarily distinguish ISAP from ICE. ISAP staff's verbal instructions to class members, as reported to Plaintiffs' counsel, have often been at variance with the Court's conditions. For example, numerous detainees have been told by ISAP staff that they can leave their house, as long as they are home on designated days of the week for phone check-ins. One released class member was told to be available to check in on Thursdays but that he is otherwise free to leave to house because he is being monitored electronically. Another has reported being told to be home Wednesdays between 8:00 am-4:00 pm.

9. Other class members have reported being told that they can travel, as long as travel is not outside the Northeast. Another released class member reported being told she would be considered compliant with release conditions as long as "she stayed in Brooklyn." Some released class members were contacted by ISAP following the 14-day quarantine period, to let them know that the quarantine period was over and that they could now leave the house.
10. Class members have been diligent in trying to do what is required of them – recognizing that their safety and freedom is at stake. For example, a number of released class members report that they have repeatedly sought to confirm with ISAP exactly what they are supposed to do to comply with their release conditions, asking to speak with supervisors to ensure they are conforming their conduct and repeatedly inquiring about what is and is not allowed. At least four class member's GPS tracking systems have malfunctioned, and they have made efforts to work with ICE to fix them. Class members



report that reaching ISAP or ICE staff to report problems, ask questions, or confirm instructions is difficult, and that messages left are frequently not returned.

11. Plaintiffs' counsel for their part have reiterated the Court's conditions to released class members on multiple occasions, beginning upon release and continuing over the last week since receiving Defendant's Motion for Reconsideration. Whenever Plaintiffs' counsel become aware of release paperwork that is inconsistent or inaccurate, it is our practice to reiterate the Court's conditions to class members. Similarly, whenever Plaintiffs' counsel become aware of statements by ISAP that are inconsistent with the Court's orders, it is our practice to reiterate the Court's conditions to class members and reiterate the importance of following the Court's conditions no matter what ICE's agent tells them.

12. Plaintiffs' counsel are not aware of any instances when ICE or ISAP have warned or informed any class members that they were in violation of their bail conditions.

13. Attached hereto as Exhibit D is a true and correct copy of excerpts of the June 1, 2020 Special Master's Weekly Report in *Committee for Public Counsel Services (CPCS) v. Chief Justice of the Trial Court*, SJC-12926, indicating COVID-19 tests and confirmed cases for the Bristol County House of Correction and Jail.

I declare under the penalty of perjury that the foregoing is true and correct and was executed this 2nd day of June 2020.

/s/ Oren Sellstrom  
Oren Sellstrom

**CERTIFICATE OF SERVICE**

I hereby certify that, on June 2, 2020 a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of this court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF system.

Date: June 2, 2020

/s/ Oren Sellstrom  
Oren Sellstrom (BBO #569045)

# EXHIBIT A

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**ORDER OF RELEASE ON RECOGNIZANCE**

Event Number: [REDACTED]

File No.: [REDACTED]

Date: May 5, 2020

Name: [REDACTED]

You have been arrested and placed in removal proceedings. In accordance with section 236 of the Immigration and Nationality Act and the applicable provisions of Title 8 of the Code of Federal Regulations, you are being released on your own recognizance provided you comply with the following conditions:

- ☒ You must report for any hearing or interview as directed by Immigration and Customs Enforcement or the Executive Office for Immigration Review.
- ☒ You must surrender for removal from the United States if so ordered.
- ☒ You must report in (writing) (person) to Duty officer at [REDACTED] See I-831 on 06/08/2020 09:00 as directed.
- If you are allowed to report in writing, the report must contain your name, alien registration number, current address, place of employment, and other pertinent information as required by the officer listed above.
- ☒ You must not change your place of residence without first securing written permission from the officer listed above.
- ☒ You must not violate any local, State or Federal laws or ordinances.
- ☒ You must assist Immigration and Customs Enforcement in obtaining any necessary travel documents.
- ☒ Other: Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the Department of Homeland Security. Electronic monitoring is a requirement and a curfew may be imposed. Failure to comply with the conditions of your release or the requirements of the ATD program may result in a redetermination of your release conditions or your arrest and detention.
- ☒ See attached sheet containing other specified conditions (Continue on separate sheet if required)

**NOTICE:** Failure to comply with the conditions of this order may result in revocation of your release and your arrest and detention by Immigration and Customs Enforcement.

*Golanda Masfisi*  
MAR 18 2020 GOLANDA  
ICE Official

**Alien's Acknowledgement of Conditions of Release under an Order of Recognizance**

I hereby acknowledge that I have (read) (had interpreted and explained to me in the English language) contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

*[Signature]*  
(Signature of ICE Official serving order)

*[Signature]*  
(Signature of Alien)

05/06/20

I hereby cancel this order of release because:

- ☐ The alien failed to comply with the conditions of release. ☐ The alien was taken into custody for removal.

(Signature of ICE Official canceling order)

Date



DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**ORDER OF RELEASE ON RECOGNIZANCE  
OUT-PROCESSING CHECKLIST**

**Sex Offenders**

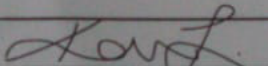
- ☐ Probation/Parole Officer Notified
- ☐ Registered as sex-offender as required by state statute within 7 days
- ☐ Victim/Witness Coordinator Notified
- ☐ Victim/Witness Notified
- ☐ Written Proof of Counseling

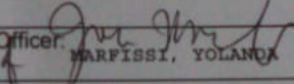
**Substance Abusers**

- ☐ Probation/Parole Officer Notified
- ☐ Written Proof of Counseling

**All Aliens**

- ☐ Probation/Parole Officer Notified
- ☐ Obtain address where living and telephone number
- ☐ Enter into IDENT FINS#: [REDACTED]
- ☐ NCIC Check
- ☐ Travel Document Application
- ☐ Other: \_\_\_\_\_

<b>Completed By</b>	
Deportation Officer: K LEYDON 	Date 05/05/2020

<b>Concurrence By</b>	
Supervisory Detention and Deportation Officer:  MARFISSI, YOLANDA	Date 05/05/2020

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
ORDER OF RELEASE ON RECOGNIZANCE  
CONTINUATION PAGE

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## PERSONAL REPORT RECORD

[illegible]



DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**ORDER OF RELEASE ON RECOGNIZANCE  
ADDENDUM**

File No. [REDACTED]

Date: May 5, 2020

Name: [REDACTED]

- ☒ That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- ☐ That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- ☐ That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- ☐ That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- ☒ That you do not commit any crimes while on this Order of Release on Recognizance.
- ☐ That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- ☐ That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- ☒ That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- ☒ That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- ☒ Any violation of the above conditions will result in revocation of your employment authorization document.
- ☒ Any violation of these conditions may result in you being taken into ICE custody and you being criminally prosecuted.
- ☒ Other: That you adhere to a 14 day quarantine and ONLY leave for hospital, doctors or court visit.

If fitted with a GPS tracking ankle bracelet, do not tamper with or remove the device. Tampering with or damaging the device may result in your arrest, detention, and prosecution under 18 U.S.C. 1361"

/

[REDACTED]  
Alien's Signature

# EXHIBIT B



U.S. Department of Homeland Security  
1000 District Avenue  
Burlington, MA 01803



U.S. Immigration  
and Customs  
Enforcement


**Release Notification**

Upon review of your case, U.S. Immigration and Customs Enforcement (ICE) has concluded that you will be released from ICE custody pending your removal from the United States. This release does not affect your removal order and does not constitute an admission to the United States.

Your release will be subject to certain written conditions that will be provided to you shortly on the Order of Supervision and Addendum to the Order of Supervision forms, and by which you must abide. You may be required to participate in an Alternatives to Detention (ATD) Program which may include the use of Active/Passive GPS monitoring, monthly reporting and telephonic reporting.

A violation of one of these conditions, or of any local, state or federal law may result in you being taken back into custody and any bond that you may have posted being forfeited. At any time, you may be taken back into ICE custody should your removal become practicable. It is particularly important that you keep ICE advised of your address at all times.

It is particularly important that you keep ICE advised of your address at all times. ICE will continue to make efforts to obtain your travel document that will allow the United States government to carry out your removal pursuant to your order of deportation, exclusion, or removal. In addition, you are required by law to continue to make good faith efforts to secure a travel document on your own and provide proof of your efforts to ICE.

  
Todd M. Lyons, Acting Field Office Director

4-8-2020  
Date

**PROOF OF SERVICE**

**(1) Personal Service (Officer to complete both (a) and (b) below.)**

(a) I (Casey) Hyde, Deportation Officer,  
Title  
certify that I served [REDACTED] with a copy of  
Name of detainee  
this document at Burlington, MA on 04/13/2020 at 1730.  
Institution Date Time

(b) I certify that I served the custodian \_\_\_\_\_,  
Name of Official  
\_\_\_\_\_, at \_\_\_\_\_, on  
Title Institution  
\_\_\_\_\_ with a copy of this document.  
Date

**OR**

**(2) Service by certified mail, return receipt. (Attach copy of receipt)**

I \_\_\_\_\_, certify  
Name of ICE Officer Title  
that I served \_\_\_\_\_ and the custodian \_\_\_\_\_,  
Name of detainee Name of Official  
with a copy of this document by certified mail at \_\_\_\_\_ on \_\_\_\_\_.  
Institution Date

Detainee Signature: [REDACTED]

Date: 4-8-2020

- ( ) cc: Attorney of Record or Designated Representative  
( ) cc: A-File

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

## ORDER OF SUPERVISION

Event Number: HAR2010000157

File No.: [REDACTED]

Date: April 8, 2020

Name: [REDACTED]

On March 21, 2020, you were ordered:  
(Date of Final Order)

- ☐ Excluded or deported pursuant to proceedings commenced prior to April 1, 1997.
- ☒ Removed pursuant to proceedings commenced on or after April 1, 1997.

Because the agency has not effected your deportation or removal during the period prescribed by law, it is ordered that you be placed under supervision and permitted to be at large under the following conditions:

- ☒ That you appear in person at the time and place specified, upon each and every request of the agency, for identification and for deportation or removal.
- ☒ That upon request of the agency, you appear for medical or psychiatric examination at the expense of the United States Government.
- ☒ That you provide information under oath about your nationality, circumstances, habits, associations and activities and such other information as the agency considers appropriate.
- ☒ That you do not travel outside New York for more than 48 hours without first having notified this agency office of the dates and places, and obtaining approval from this agency office of such proposed travel.  
(Specify geographic limits, if any)
- ☒ That you furnish written notice to this agency office of any change of residence or employment 48 hours prior to such change.
- ☒ That you report in person on 06/08/2020 09:00 to this agency office at:  
(Day/Date/Time)

See I-831

(Reporting Address)

- ☒ That you assist U.S. Immigration and Customs Enforcement in obtaining any necessary travel documents.

☐ Other: \_\_\_\_\_

- ☒ See attached sheet containing other specified conditions (Continue on separate sheet if required)

WESLING, D 7266

(Signature of ICE Official)

(Print Name and Title of ICE Official)

## Alien's Acknowledgement of Conditions of Release under an Order of Supervision

I hereby acknowledge that I have (read) (had interpreted and explained to me in the English language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

(Signature of ICE Official Serving Order)

(Signature of Alien)

04/08/2020

Date



Alien Name	[REDACTED]	Picture	Right Index Print
File Number	[REDACTED]		
Date	April 8, 2020		
Alien's Signature	[REDACTED]		
Alien's Telephone Number (if applicable)	[REDACTED]		
Alien's Address	[REDACTED]		

[illegible]

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

ORDER OF SUPERVISION (Addendum)

File No.: [REDACTED]

Date: April 8, 2020

Name: [REDACTED]

- ☒ That you do not associate with know gang members, criminal associates, or be associated with any such activity.
- ☐ That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- ☐ That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- ☐ That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide ICE with written proof of such within 10 days.
- ☒ That you do not commit any crimes while on this Order of Supervision.
- ☒ That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- ☒ That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- ☒ That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- ☒ That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- ☒ Any violation of the above conditions will result in revocation of your employment authorization document.
- ☒ Any violation of these conditions may result in you being taken into Service custody and you being criminally prosecuted.
- ☒ Other: Telephonic reporting 781-359-7660

[REDACTED]  
Alien's Signature

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

## ORDER OF SUPERVISION (Outprocessing Checklist)

## All Aliens

- ☐ Probation/Parole Officer Notified
- ☐ Obtain address where living and telephone number
- ☐ Enter into IDENT
- ☐ NCIC Check
- ☐ Travel Document Application

## Sex Offenders

- ☐ Probation/Parole Officer Notified
- ☐ Registered as sex-offender as required by state statute within 7 days
- ☐ Victim/Witness Coordinator Notified
- ☐ Victim/Witness Notified
- ☐ Written Proof of Counseling

## Substance Abusers

- ☐ Probation/Parole Officer Notified
- ☐ Written Proof of Counseling

Completed By	
ICE Official HYDE, C. 9755 	Date 04/08/2020

Concurrence By	
Supervisory ICE Official WESLING, D 7266	Date 04/08/2020

U.S. Department of Homeland Security

Continuation Page for Form I-220B

Alien's Name

File Number

Date

04/08/2020

Event No:

## ADDITIONAL CONDITIONS

(1)

You are to participate in a 14 day full quarantine.

(2)

You are to be on house arrest without electronic monitoring.

(3)

You may not leave fixed address unless to attend immigration proceedings or attend to own medical needs as necessary.

## LOCATION OF ICE OFFICE WHICH YOU REPORT TO

ICE New York City - 26 Federal Plaza, 9th Floor New York, NY 10278

Signature



C. 9755 HYDE

Title

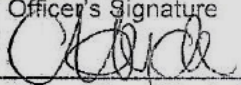

Deportation Officer

5 of 5 Pages



DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

**WARNING FOR FAILURE TO COMPLY WITH TERMS OF SUPERVISED RELEASE**

<b>Name</b> [REDACTED]	<b>Field Office</b> BOS-T	<b>File #</b> [REDACTED]
<p>Section 243(b) of the Immigration and Nationality Act of 1952,* as amended, provides, in part, that:</p> <p>An alien who shall willfully fail to comply with regulations or requirements issued pursuant to section 241(a)(3)* or knowingly give false information in response to an inquiry under such section shall be fined not more than \$1000 or imprisoned for not more than one year, or both.</p> <p>*Section 241(a)(3) of the Immigration and Nationality Act of 1952, as amended, provides, in part, that:</p> <p>If the alien does not leave or is not removed within the removal period, the alien, pending removal, shall be subject to supervision under regulations prescribed by the Attorney General. The regulations shall include provisions requiring the alien—</p> <ul style="list-style-type: none"> <li>(A) to appear before an immigration officer periodically for identification;</li> <li>(B) to submit, if necessary, to a medical and psychiatric examination at the expense of the United States Government;</li> <li>(C) to give information under oath about the alien's nationality, circumstances, habits, associations, and activities, and other information the Attorney General considers appropriate; and</li> <li>(D) to obey reasonable written restrictions on the alien's conduct or activities that the Attorney General prescribes for the alien.</li> </ul>		
<b>Date Order Final</b> March 21, 2020	<b>Ordered Removed under Section</b> 8 USC 1182, 212a6Ai, 212a2AiII, 212a2C, 212a2AiI	
<b>Record of Service</b> (Check method used)		
<input type="checkbox"/> <b>Record of Personal Service</b>		
<b>Served By (Print Name and Title of Officer)</b> C. 9755 HYDE, Deportation Officer		<b>Date</b> April 8, 2020
<b>Officer's Signature</b> 	<b>Location of Service</b> ICE ERO Boston Field Office Burlington MA 01803	
<b>Served On: (Alien's Signature)</b> [REDACTED]		<b>Date</b> April 8, 2020
<input type="checkbox"/> <b>Certified Mail Service</b>		<b>Fingerprint of Alien (Specify finger used)</b>
Attach certified mail receipts here.		 Right Index



# EXHIBIT C

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

## ORDER OF SUPERVISION

Event Number: [REDACTED]

File No. [REDACTED]

Date: April 9, 2020

Name: [REDACTED]

On March 29, 2020, you were ordered  
(Date of Final Order)

- ☐ Excluded or deported pursuant to proceedings commenced prior to April 1, 1997.
- ☒ Removed pursuant to proceedings commenced on or after April 1, 1997.

Because the agency has not effected your deportation or removal during the period prescribed by law, it is ordered that you be placed under supervision and permitted to be at large under the following conditions:

- ☒ That you appear in person at the time and place specified, upon each and every request of the agency, for identification and for deportation or removal.
- ☒ That upon request of the agency, you appear for medical or psychiatric examination at the expense of the United States Government.
- ☒ That you provide information under oath about your nationality, circumstances, habits, associations and activities and such other information as the agency considers appropriate.
- ☒ That you do not travel outside Maine for more than 48 hours without first having notified this agency office of the dates and places, and obtaining approval from this agency office of such proposed travel.  
(Specify geographic limits, if any)
- ☒ That you furnish written notice to this agency office of any change of residence or employment 48 hours prior to such change.
- ☒ That you report in person on 04/09/2020 17:13 to this agency office at  
(Day/Date/Time)

See I-831

(Reporting Address)

- ☒ That you assist U.S. Immigration and Customs Enforcement in obtaining any necessary travel documents.

☒ Other: ATD conditions

- ☒ See attached sheet containing other specified conditions (Continue on separate sheet if required)

(Signature of ICE Official)

MARFISSE, YOLANDA

(Print Name and Title of ICE Official)

## Alien's Acknowledgement of Conditions of Release under an Order of Supervision

I hereby acknowledge that I have (read) (had interpreted and explained to me in the English language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

(Signature of ICE Official Serving Order)

(Signature of Alien)

Date: 04/10/20

Alien Name	Right Index Print
------------	-------------------

Date \_\_\_\_\_

Allen's Telephone Number (if applicable) \_\_\_\_\_

[illegible]

## PERSONAL REPORT RECORD

Signature \_\_\_\_\_

Title

Department Offices:

DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection  
ORDER OF SUPERVISION (Addendum)

File No. [REDACTED]

Date: April 11, 2020

Name: [REDACTED]

- ☒ That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- ☐ That you register in a substance abuse program within 14 days and provide ICE with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a counselor.
- ☐ That you register in a sexual deviancy counseling program within 14 days and provide ICE with written proof of such within 30 days. You must provide ICE with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- ☐ That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(ies) and provide ICE with written proof of such within 10 days.
- ☒ That you do not commit any crimes while on this Order of Supervision.
- ☐ That you report to any parole or probation officer as required within 5 business days and provide ICE with written verification of the officer's name, address, telephone number, and reporting requirements.
- ☐ That you continue to follow any prescribed doctor's orders whether medical or psychological including taking prescribed medication.
- ☒ That you provide ICE with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- ☒ That you provide ICE with written responses from the Embassy or Consulate regarding your request.
- ☒ Any violation of the above conditions will result in revocation of your employment authorization document.
- ☒ Any violation of these conditions may result in you being taken into Service custody and you being criminally prosecuted.
- ☐ Other:

X \_\_\_\_\_  
Alien's Signature

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**ORDER OF SUPERVISION (Outprocessing Checklist)**

**All Aliens**

- ☐ Probation/Parole Officer Notified
- ☐ Obtain address where living and telephone number
- ☐ Enter into IDENT
- ☐ NCIC Check
- ☐ Travel Document Application

**Sex Offenders**

- ☐ Probation/Parole Officer Notified
- ☐ Registered as sex-offender as required by state statute within 7 days
- ☐ Victim/Witness Coordinator Notified
- ☐ Victim/Witness Notified
- ☐ Written Proof of Counseling

**Substance Abusers**

- ☐ Probation/Parole Officer Notified
- ☐ Written Proof of Counseling

**Completed By**

ICE Official

WATERS, ERIN 09788

*[Signature]*

Date

04/09/2020

**Concurrence By**

Supervisory ICE Official

MARFISSE, YOLANDA

Date

04/09/2020

Alien's Name

File Number

Date

04/09/2020

Event No.

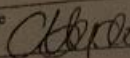
## ADDITIONAL CONDITIONS

- (1) Special Instructions: 14 day mandatory quarantine at home
- (2) No leaving fixed address unless to attend immigration proceedings or attend to own medical needs if necessary
- (3) Should your medical needs be so severe that you have to go to a doctor's office or hospital (notify ICE as soon as practicable of your medical necessity).
- (4) Telephonic report in by calling 207-780-3507 until further notice.
- (5) Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) Program as designated by the Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program may result in a redetermination of your release conditions or your arrest and detention. If fitted with a GPS tracking ankle bracelet, do not tamper with or remove the device. If Tampering with or damaging the device may result in your arrest, detention, and prosecution under 18 U.S.C. 1361.

## LOCATION OF ICE OFFICE WHICH YOU REPORT TO

ICE Portland, ME 176 Gannett Drive South Portland, ME 04106

Signature



ERIN O'CONNELL WATERS

Title

Deportation Officer

5 of 5 Pages



Name

Field Office

BOB-T

File #

295 827 736

Section 243(b) of the Immigration and Nationality Act of 1952, as amended, provides, in part, that:

An alien who shall willfully fail to comply with regulations or requirements issued pursuant to section 241(a)(3)\* or knowingly give false information in response to an inquiry under such section shall be fined not more than \$1000 or imprisoned for not more than one year, or both.

\*Section 241(a)(3) of the Immigration and Nationality Act of 1952, as amended, provides, in part, that:

If the alien does not leave or is not removed within the removal period, the alien, pending removal, shall be subject to supervision under regulations prescribed by the Attorney General. The regulations shall include provisions requiring the alien—

- (A) to appear before an immigration officer periodically for identification;
- (B) to submit, if necessary, to a medical and psychiatric examination at the expense of the United States Government;
- (C) to give information under oath about the alien's nationality, circumstances, habits, associations, and activities, and other information the Attorney General considers appropriate; and
- (D) to obey reasonable written restrictions on the alien's conduct or activities that the Attorney General prescribes for the alien.

Date Order Final

March 29, 2020

Ordered Removed under Section

237a1B, 8 USC 1227

Record of Service

(Check method used)

☐ Record of Personal Service

Served By (Print Name and Title of Officer)

ERIN 09786 WATERS, Deportation Officer

Date

April 9, 2020

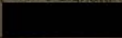
Officer's Signature



Location of Service

ICE  
REG Boston Field Office  
Burlington MA 01803

Served On: (Alien's Signature)



Date

April 9, 2020

☐ Certified Mail Service

Fingerprint of Alien (Specify finger used)

Attach certified mail receipts here.

  
Right Index

## Notice to Alien of File Custody Review

Page 1

## PROOF OF SERVICE

## (1) Personal Service (Officer to complete both (a) and (b) below.)

(a) I Casey Hare Detention Officer  
 certify that I served [REDACTED] with a copy of  
 this document at Burlington, MA on 4/10/2020 at 1315  
 Institution Date Time

(b) I certify that I served the custodian \_\_\_\_\_  
 \_\_\_\_\_ at \_\_\_\_\_  
 Title Institution on \_\_\_\_\_  
 \_\_\_\_\_ with a copy of this document.  
 Date

OR

## (2) Service by certified mail, return receipt. (Attach copy of receipt)

I \_\_\_\_\_, certify  
 Name of ICE Officer Title  
 that I served \_\_\_\_\_ and the custodian \_\_\_\_\_  
 Name of detainee Name of Official  
 with a copy of this document by certified mail at \_\_\_\_\_  
 Institution on \_\_\_\_\_  
 Date

Detainee Signature: [REDACTED]Date: 04-10-20

- ( ) cc: Attorney of Record or Designated Representative  
 ( ) cc: A-File



**U.S. Immigration  
and Customs  
Enforcement**

[REDACTED]  
c/o Bristol County House of Correction  
400 Faunce Corner Road  
North Dartmouth, MA 02747

**Release Notification**

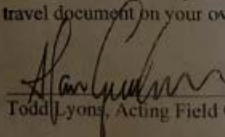
Upon review of your case, U.S. Immigration and Customs Enforcement (ICE) has concluded that you may be released from ICE custody pending your removal from the United States. This release does not affect your removal order and does not constitute an admission to the United States.

Your release will be subject to certain written conditions that will be provided to you shortly on the Order of Supervision and Addendum to the Order of Supervision forms, and by which you must abide. You may be required to participate in an Alternatives to Detention (ATD) Program which may include the use of Active/Passive GPS monitoring, monthly reporting and telephonic reporting.

A violation of one of more of these conditions, or of any local, state or federal law may result in your being taken back into custody and any bond that you may have posted being forfeited. Your release from custody is also conditioned upon your maintaining proper behavior while sponsorship and placement efforts for you are being undertaken. At any time, you may be taken back into ICE custody should your removal become practicable.

Prior to your release from custody, an immigration officer may verify the sponsorship or employment offers presented during your review. Please forward any additional information regarding potential sponsoring family members or non-governmental organizations that may be willing to assist you upon release.

It is particularly important that you keep ICE advised of your address at all times. ICE will continue to make efforts to obtain your travel document that will allow the United States government to carry out your removal pursuant to your order of deportation, exclusion, or removal. In addition, you are required by law to continue to make good faith efforts to secure a travel document on your own and provide proof of your efforts to ICE.

  
Todd Lyons, Acting Field Office Director

APR 16 2021

Date

# EXHIBIT D

**COMMONWEALTH OF MASSACHUSETTS  
SUPREME JUDICIAL COURT**

SUFFOLK, ss.

SJC-12926

COMMITTEE FOR PUBLIC COUNSEL SERVICES AND  
MASSACHUSETTS ASSOCIATION OF CRIMINAL DEFENSE LAWYERS,  
Petitioners,

v.

CHIEF JUSTICE OF THE TRIAL COURT, ET AL.,  
Respondents

**SPECIAL MASTER'S WEEKLY REPORT**

Pursuant to the Supreme Judicial Court's April 3, 2020 Opinion and Order in this matter, as amended on April 10 and April 28, 2020 (the "Order"), the attached Appendix contains the Special Master's weekly report for the period ending May 31, 2020.

The Appendix contains charts reflecting the following information for each of the correctional facilities administered by the Department of Correction and each of the county Sheriffs' offices: (i) overall inmate population; (ii) the number of COVID-19 tests administered by the correctional facilities for all inmates, correctional officers, or other staff members, including contractors; (iii) the number of confirmed positive COVID-19 cases for all inmates, correctional officers, or other staff members, including contractors; and (iv) the number of inmates released pursuant to the procedures or guidance set forth in the Order since April 3, 2020. Figures presented in red in the attached Appendix reflect certain changes, corrections, and amendments made from the daily reporting received by the Special Master and the Special Master's prior weekly report as a result of communications with the parties to this matter. As of June 1, 1,586 inmates have been released from state and county correctional facilities.

Dated: June 1, 2020

/s/ Brien T. O'Connor  
Special Master Brien T. O'Connor,  
Ropes & Gray LLP

# Appendix

COMMITTEE FOR PUBLIC COUNSEL SERVICES AND  
MASSACHUSETTS ASSOCIATION OF CRIMINAL DEFENSE LAWYERS,  
Petitioners,  
v.  
CHIEF JUSTICE OF THE TRIAL COURT, ET AL.,  
Respondents

**Weekly Report for County Jails**

Reporting Date	Aggregate of County Jail Reporting							
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population (Sunday Figures)	Inmates Released Since SJC Order	Inmates	Correctional Officers*	Other Staff*	Inmates	Correctional Officers	Other Staff
<b>5-Apr to 12-Apr</b>	6,863	206	103	144	43	39	43	13
<b>13-Apr to 19-Apr</b>	6,168	270	150	61	20	65	21	8
<b>20-Apr to 26-Apr</b>	6,119	121	57	30	8	13	17	2
<b>27-Apr to 3-May</b>	5,997	82	80	38	14	14	7	7
<b>4-May to 10-May</b>	5,925	83	56	24	9	11	2	1
<b>11-May to 17-May</b>	5,793	49	96	21	7	10	5	6
<b>18-May to 25-May</b>	5,745	59	132	54	16	39	13	2
<b>26-May</b>	5,734	8	4	3	0	1	1	0
<b>27-May</b>	5,779	11	52	4	0	2	2	0
<b>28-May</b>	5,747	19	43	3	3	8	0	0
<b>29-May</b>	5,737	15	79	8	2	3	4	0
<b>30-May</b>	5,730	3	352	2	2	7	1	0
<b>31-May</b>	5,730	1	5	1	0	0	3	0
<b>Totals</b>		<b>927</b>	<b>1,209</b>	<b>393</b>	<b>124</b>	<b>212</b>	<b>119</b>	<b>39</b>

\*Because correctional officers and staff generally receive testing and treatment from their personal physicians or some other outside healthcare provider, the confirmed positive cases consist of those correctional officers or staff that have reported that information to the county jails.

SJC-12926

COMMITTEE FOR PUBLIC COUNSEL SERVICES AND  
MASSACHUSETTS ASSOCIATION OF CRIMINAL DEFENSE LAWYERS,  
Petitioners,  
v.  
CHIEF JUSTICE OF THE TRIAL COURT, ET AL.,  
Respondents

**Weekly Report for County Jails**

Reporting Date	Bristol County													
	All Facilities		Bristol County House of Correction and Jail*						Ash Street Jail and Regional Lockup					
	Incarceration and Release Stats		Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases			Number of COVID-19 Tests Administered by Correctional Facility/Facilities			Number of Confirmed COVID-19 Cases		
	Total Inmate Population (Sunday Figures)	Inmates Released Since SJC Order	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff	Inmates	Correctional Officers	Other Staff
5-Apr to 12-Apr	656	10	5	0	4	0	2	1	n/a	n/a	n/a	n/a	n/a	n/a
13-Apr to 19-Apr	601	13	1	0	0	0	1	1	n/a	n/a	n/a	n/a	n/a	n/a
20-Apr to 26-Apr	581	9	8	0	0	0	4	0	n/a	n/a	n/a	n/a	n/a	n/a
27-Apr to 3-May	567	5	5	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a
4-May to 10-May	633	1	28	0	0	7	0	0	0	0	0	0	0	0
11-May to 17-May	617	2	54	0	0	7	2	4	4	0	0	0	0	1
18-May to 25-May	610	3	13	1	0	17	10	1	0	0	0	0	1	0
26-May	610	0	0	0	0	0	0	0	0	0	0	0	0	0
27-May	618	1	3	0	0	1	1	0	0	0	0	0	0	0
28-May	620	1	0	0	0	0	0	0	0	0	0	0	0	0
29-May	620	3	3	0	0	1	4	0	0	0	0	0	0	0
30-May	623	0	0	0	0	4	0	0	0	0	0	0	0	0
31-May	623	0	2	0	0	0	2	0	0	0	0	0	0	0
<b>Totals</b>		<b>48</b>	<b>122</b>	<b>1</b>	<b>4</b>	<b>38</b>	<b>27</b>	<b>7</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>

\*Bristol County began breaking apart testing data by facility on May 9. Prior to this time, all available testing data is shown under the main facility column.